

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 20, 2005

RELEASED: 10:00 A.M.

- |      |  |  |                          |
|------|--|--|--------------------------|
| 260. | LEWIS EARL DAVENPORT V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE JOHNSTONE –<br/><u>AFFIRMING.</u></b><br>ROACH, J., DISSENTS BY<br>SEPARATE OPINION, WITH<br>LAMBERT, C.J., AND COOPER,<br>J., JOINING THAT DISSENTING<br>OPINION. | <a href="#"><u>2002-SC-000483-MR</u></a><br><b>TO BE PUBLISHED</b> | MCCREARY                 |
| 261. | JAMES G. CLEMONS V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>CHIEF JUSTICE LAMBERT –<br/><u>AFFIRMING.</u></b>  | <a href="#"><u>2003-SC-001040-MR</u></a><br><b>TO BE PUBLISHED</b> | GRAYSON                  |
| 262. | JAMES FAIRROW, JR. V.<br>COMMONWEALTH OF KENTUCKY<br><b>OPINION OF THE COURT BY<br/>JUSTICE COOPER – <u>AFFIRMING.</u></b>   | <a href="#"><u>2004-SC-000293-MR</u></a><br><b>TO BE PUBLISHED</b> | HOPKINS                  |
| 263. | BARBARA HODGES V.<br>SAGER CORPORATION, ET AL<br><b>OPINION OF THE COURT -<br/><u>AFFIRMING.</u></b>   | <a href="#"><u>2005-SC-000066-WC</u></a><br><b>TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 264. | THE INDEPENDENT ORDER<br>OF FORESTERS V.<br>HON. MCKAY CHAUVIN, JUDGE,<br>JEFFERSON CIRCUIT COURT,<br>ET AL<br><b>OPINION OF THE COURT BY<br/>JUSTICE ROACH – <u>AFFIRMING.</u></b>  | <a href="#"><u>2005-SC-000193-MR</u></a><br><b>TO BE PUBLISHED</b> | JEFFERSON                |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

265. MICHAEL D. ST. CLAIR V. [2001-SC-000209-MR](#) HARDIN  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
**OPINION OF THE COURT BY**  
**CHIEF JUSTICE LAMBERT –**  
**REVERSING AND REMANDING.**  
AS TO PART I, COOPER AND  
JOHNSTONE, JJ., CONCUR; ROACH,  
J., CONCURS BY SEPARATE OPINION;  
AND WINTERSHEIMER, J., DISSENTS  
BY SEPARATE OPINION IN WHICH GRAVES  
AND SCOTT, JJ., JOIN. AS TO PART II, ALL  
CONCUR EXCEPT COOPER, J., WHO  
DISSENTS BY SEPARATE OPINION. AS TO  
PART III, ALL CONCUR.
266. ROBERT A. DICKERSON V. [2003-SC-000543-MR](#) FULTON  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
AND  
ROBERT DICKERSON V. [2003-SC-000833-TG](#) FULTON  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
AND  
ROBERT DICKERSON V. [2003-SC-000834-TG](#) FULTON  
COMMONWEALTH OF KENTUCKY **TO BE PUBLISHED**  
**OPINION OF THE COURT BY**  
**JUSTICE COOPER – REVERSING**  
**AND REMANDING.**  
ROACH, J., CONCURS BY SEPARATE  
OPINION. SCOTT, J., CONCURS IN PART  
AND DISSENTS IN PART BY SEPARATE  
OPINION. WINTERSHEIMER, J., DISSENTS  
WITHOUT SEPARATE OPINION.

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 20, 2005

RELEASED: 10:00 A.M.

267. JOHNNIE HAYES V. [2003-SC-000675-MR](#) GRAYSON  
COMMONWEALTH OF KENTUCKY TO BE PUBLISHED  
AND  
JOHN PAUL HARRISON V. [2003-SC-000717-MR](#) GRAYSON  
COMMONWEALTH OF KENTUCKY TO BE PUBLISHED  
**OPINION OF THE COURT BY  
JUSTICE COOPER – REVERSING  
AND REMANDING 2003-SC-000675-MR  
AND VACATING IN PART AND  
REVERSING AND REMANDING IN PART  
2003-SC-000717-MR.**  
ROACH, J., DISSENTS BY SEPARATE  
OPINION WITH GRAVES, AND  
WINTERSHEIMER, JJ., JOINING THAT  
DISSENTING OPINION.
268. BRASCH-BARRY GENERAL [2004-SC-001126-WC](#) FROM COURT  
CONTRACTORS V. TO BE PUBLISHED OF APPEALS  
JEFF JONES, ET AL  
**OPINION OF THE COURT BY  
JUSTICE GRAVES - REVERSING  
AND REMANDING.**  
WINTERSHEIMER, J., CONCURS  
IN RESULT ONLY.
269. NELSON LOPEZ V. [2003-SC-000878-DG](#) FAYETTE  
COMMONWEALTH OF KENTUCKY TO BE PUBLISHED  
**OPINION OF THE COURT BY  
JUSTICE COOPER – REVERSING.**  
WINTERSHEIMER, J., CONCURS IN  
RESULT ONLY WITHOUT OPINION.
270. DERRICK LANE V. [2002-SC-000585-MR](#) FAYETTE  
COMMONWEALTH OF KENTUCKY NOT TO BE PUBLISHED  
**MEMORANDUM OPINION OF THE  
COURT – AFFIRMING.**

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 20, 2005

RELEASED: 10:00 A.M.

- |      |   |  |                          |
|------|---|--|--------------------------|
| 271. | CHARLES EDWARD HENSLEY V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT- <u>AFFIRMING.</u></b><br>COOPER, J., DISSENTS FOR THE<br>REASONS STATED IN HIS DISSENT-<br>ING OPINION IN <u>LANHAM V.</u><br><u>COMMONWEALTH</u> , NO. 2003-SC-<br>0268-MR (KY. AUG. 25, 2005). | <a href="#"><u>2003-SC-000470-TG</u></a><br><b>NOT TO BE PUBLISHED</b> | HARLAN                   |
| 272. | DARRELL THACKER V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>  | <a href="#"><u>2004-SC-000517-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | PIKE                     |
| 273. | RONNIE FITTS V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#"><u>2004-SC-000653-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | FULTON                   |
| 274. | ROBERT KEITH WOODALL V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#"><u>2004-SC-000931-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | CALDWELL                 |
| 275. | SHOREWOOD PACKAGING V.<br>FLOYD MITCHELL BROOKS, JR.,<br>ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>  | <a href="#"><u>2004-SC-000946-WC</u></a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 276. | BOBBY ADAMS V.<br>COASTAL COAL COMPANY, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#"><u>2004-SC-000997-WC</u></a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 277. | COREY DESHAWN THOMPSON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#"><u>2004-SC-001070-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | JEFFERSON                |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

- |   |  |                          |
|---|--|--------------------------|
| 278. JAMES LAWSON V.<br>COMMONWEALTH OF KENTUCKY<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b><br>JOHNSTONE, J., CONCURS IN<br>RESULT ONLY. | <a href="#"><u>2004-SC-001134-MR</u></a><br><b>NOT TO BE PUBLISHED</b> | PIKE                     |
| 279. CALVIN BLACK V.<br>CMT TRUCKING, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#"><u>2005-SC-000168-WC</u></a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |
| 280. DAVID C. SUMMERS V.<br>U.S. LIQUIDS, ET AL<br><b>MEMORANDUM OPINION OF THE<br/>COURT – <u>AFFIRMING.</u></b>   | <a href="#"><u>2005-SC-000244-WC</u></a><br><b>NOT TO BE PUBLISHED</b> | FROM COURT<br>OF APPEALS |

**OPINIONS AND ORDERS**

- |  |  |                     |
|--|--|---------------------|
| KENTUCKY BAR ASSOCIATION V.<br>JOEL R. EMBRY<br><b>OPINION AND ORDER PERMANENTLY<br/>DISBARRING RESPONDENT FROM<br/>THE PRACTICE OF LAW IN THE<br/>COMMONWEALTH OF KENTUCKY.</b><br>ENTERED: OCTOBER 20, 2005                                    | <a href="#"><u>2004-SC-000763-KB</u></a><br><b>TO BE PUBLISHED</b> | IN SUPREME<br>COURT |
| JAMES RAYMOND HIGDON V.<br>KENTUCKY BAR ASSOCIATION<br><b>OPINION AND ORDER ORDERING THE<br/>PETITIONER BE REINSTATED TO THE<br/>PRACTICE OF LAW UPON PAYMENT OF<br/>COSTS TO THE KENTUCKY BAR<br/>ASSOCIATION.</b><br>ENTERED: OCTOBER 20, 2005 | <a href="#"><u>2005-SC-000077-KB</u></a><br><b>TO BE PUBLISHED</b> | IN SUPREME<br>COURT |

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**OPINIONS AND ORDERS**

KENTUCKY BAR ASSOCIATION V.  
BENJAMIN C. HALL  
AND

[2005-SC-000173-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

BENJAMIN C. HALL V.  
KENTUCKY BAR ASSOCIATION  
**OPINION AND ORDER SUSPENDING  
BENJAMIN HALL FROM THE PRACTICE  
OF LAW IN THE COMMONWEALTH OF  
KENTUCKY FOR 5 YEARS.**

[2005-SC-000591-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

ENTERED: OCTOBER 20, 2005

TOD D. MEGIBOW V.  
KENTUCKY BAR ASSOCIATION  
**OPINION AND ORDER ORDERING  
THAT THE MOVANT BE PUBLICLY  
REPRIMANDED.**

[2005-SC-000517-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

ENTERED: OCTOBER 20, 2005

KENTUCKY BAR ASSOCIATION V.  
SANDRA CAMILLE BROOKS  
**OPINION AND ORDER ORDERING THAT  
THE RESPONDENT IS FOUND TO BE IN  
CIVIL CONTEMPT OF THIS COURT FOR  
THE UNAUTHORIZED PRACTICE OF LAW  
IN VIOLATION OF A 1997 KBA DIRECTIVE.  
WINTERSHEIMER CONCURS IN RESULT ONLY.  
ENTERED: AUGUST 25, 2005**

[2005-SC-000542-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

KENTUCKY BAR ASSOCIATION V.  
ROBERT M. BEAL  
**OPINION AND ORDER ORDERING THE  
RESPONDENT BE SUSPENDED FROM  
THE PRACTICE OF LAW IN THE  
COMMONWEALTH OF KENTUCKY  
FOR A PERIOD OF 60 DAYS.**

[2005-SC-000620-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

ENTERED: OCTOBER 20, 2005

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**OPINIONS AND ORDERS**

KENTUCKY BAR ASSOCIATION V.  
DOUGLAS C. BRANDON

[2005-SC-000718-KB](#)  
**TO BE PUBLISHED**

IN SUPREME  
COURT

**OPINION AND ORDER ORDERING  
DOUGLAS C. BRANDON'S AUTOMATIC  
TEMPORARY SUSPENSION IS CONFIRMED,  
UNTIL SUPERSEDED BY SUBSEQUENT  
ORDER. ROACH, J., NOT SITTING.  
ENTERED: OCTOBER 20, 2005**

WARREN P. ROGERS, ET AL V.  
LEXINGTON-FAYETTE URBAN COUNTY  
GOVERNMENT, ET AL

[2005-SC-000748-I](#)  
**TO BE PUBLISHED**

FAYETTE

**OPINION AND ORDER VACATING AND  
REMANDING.**

JOHNSTONE, J., DISSENTS BY SEPARATE  
OPINION AND IS JOINED BY GRAVES, J.,  
WHO ALSO DISSENTS BY SEPARATE OPINION  
AND IS JOINED BY JOHNSTONE, J., ROACH,  
J., NOT SITTING.

**ENTERED: OCTOBER 13, 2005**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

GREGORY B. NAZAR, M.D., ET AL V.  
SHEILA BRANHAM, ETC.

2004-SC-001015-DG

JEFFERSON

HARDIN COUNTY, KENTUCKY,  
D/B/A HARDIN MEMORIAL HOSPITAL,  
ET AL V.  
BESSIE WILKERSON DECEASED, ET AL

2005-SC-000183-DG

HARDIN

CYNTHIA RANDOLPH HALL, R.N. V.  
BESSIE WILKERSON, DECEASED, ET AL

2005-SC-000206-DG

HARDIN

BOYD FISCAL COURT V.  
PHILIP STURGILL, ETC., ET AL

2005-SC-000322-DG

BOYD

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

DARMUS DALTON, JR., V. COMMONWEALTH OF KENTUCKY	2005-SC-000674-DG	PULASKI
COMMONWEALTH OF KENTUCKY V. GERRY HECTOR MEGHOO	2005-SC-000683-DG	HARDIN
JOHN GARDNER V. CITY OF HICKMAN, FULTON COUNTY, KENTUCKY	2005-SC-000693-DG	FULTON

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

DENNIS HEIZER, ETC.V. CINCINNATI, NEW ORLEANS AND TEXAS PACIFIC RAILWAY CO., ET AL	2004-SC-000725-D	CAMPBELL
MODERN TRANSMISSION DEVELOPMENT COMPANY V. WILLIAM CODY SMITH, ET AL	2004-SC-000836-D	GRAYSON
BOARD OF TRUSTEES OF KENTUCKY RETIREMENT SYSTEMS, ET AL V. MICHAEL KURTSINGER, ETC., ET AL	2004-SC-000847-D	FRANKLIN
JAMES DUNN, ET AL V. ANESTHESIA ASSOCIATES OF LOUISVILLE, INC., ET AL	2004-SC-000995-D	JEFFERSON
DANIEL H. FORSYTH, ET AL V. KENTUCKY POWER COMPANY	2004-SC-001097-D	PIKE
LESLIE BEECHAM V. PAT HERRELL, ET AL	2004-SC-001098-D	LYON



**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

ANGELA FRALEY V. JAMES P. BAILEY, P.S.C.	2005-SC-000031-D	GREENUP
AMERICAN LIFE AND ACCIDENT INSURANCE COMPANY OF KENTUCKY, INC. V. REVENUE CABINET, ETC.	2005-SC-000042-D	JEFFERSON
KENTUCKY HIGHLANDS INVESTMENT CORPORATION V. MCCREARY NATIONAL BANK	2005-SC-000045-D	LAUREL
WILLIAM THOMAS ATHERTON V. COMMONWEALTH OF KENTUCKY	2005-SC-000060-D	DAVIESS
MYRON A. SPEARS, JR., V. DORIS ANNEMARIE SPEARS (NOW GOODIN)	2005-SC-000103-D	HARDIN
WILLIAM E. DEATON V. KENTUCKY HORSE RACING AUTHORITY, SUCCESSOR TO THE KENTUCKY RACING COMMISSION	2005-SC-000131-D	FRANKLIN
CATHERINE VINCENT V. BRIAN O. VINCENT	2005-SC-000152-D	EDMONSON
KENTUCKY RETIREMENT SYSTEMS V. NANCY HEAVRIN	2005-SC-000170-D	FRANKLIN
CARL BROWN V. COMMONWEALTH OF KENTUCKY	2005-SC-000175-D	MUHLENBERG
JERRY W. LEONARD V. CITY OF LEBANON JUNCTION, ET AL	2005-SC-000179-D	BULLITT

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

VEARL R. STEWART, ET AL V. JON KELLEY JOHNSON, ET AL	2005-SC-000195-D	MONTGOMERY
MELDA SMITH V. KENTUCKY RETIREMENT SYSTEMS	2005-SC-000210-D	FRANKLIN
SHERRILL DAVIDSON, ET AL V. TROY COLLETT, ET AL	2005-SC-000229-D	CLAY
MARK RILEY V. COMMONWEALTH OF KENTUCKY	2005-SC-000245-D	KENTON
J. T. OATES V. COMMONWEALTH OF KENTUCKY	2005-SC-000256-D	SIMPSON
COMMONWEALTH OF KENTUCKY V. DAVID NICHOLS	2005-SC-000260-D	MCCRACKEN
COREY JOHNSON V. COMMONWEALTH OF KENTUCKY	2005-SC-000299-D	JEFFERSON
KAREN ROSS-CARTER V. COMMONWEALTH OF KENTUCKY	2005-SC-000310-D	KENTON
JERRY DOUGLAS BATES V. COMMONWEALTH OF KENTUCKY	2005-SC-000315-D	FAYETTE
JAMES NICK HARRISON V. BILL CASE, ET AL	2005-SC-000326-D	BOYLE
SAM A. MARS, JR., D/B/A MARS PROPERTIES, ET AL V. THE CITY OF MIDDLESBOROUGH, ETC., ET AL	2005-SC-000351-D	BELL
ANTHONY OMAR MARQUEZ V. COMMONWEALTH OF KENTUCKY	2005-SC-000426-D	JEFFERSON

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

BOBBY RAUCH V. COMMONWEALTH OF KENTUCKY, KENTUCKY PAROLE BOARD	2005-SC-000433-D	FRANKLIN
LEXINGTON-FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION, IN THE INTEREST OF ELISE SPEED AND HER MINOR CHILDREN, ETC. V. EQUITY RESIDENTIAL PROPERTIES MANAGEMENT, ET AL	2005-SC-000442-D	FAYETTE
EVERETT L. LETTERLOUGH V. COMMONWEALTH OF KENTUCKY <b>COURT OF APPEALS OPINION ORDERED NOT TO BE PUBLISHED.</b>	2005-SC-000444-D	JEFFERSON
CHRISTOPHER LYNN HICKS V. BAPTIST HEALTHCARE SYSTEMS, INC., ET AL	2005-SC-000462-D	MCCRACKEN
O. V. MILLS V. COMMONWEALTH OF KENTUCKY	2005-SC-000466-D	KNOX
CHARLES V. BEALL, ET AL V. EQUINE TRANSITIONAL TRAINING ALLIANCE, INC.	2005-SC-000469-D	BOURBON
H. RAY MCPHAIL V. FRANK VOGLER, ET AL	2005-SC-000473-D	WAYNE
DEWAYNE MCGUFFIN V. COMMONWEALTH OF KENTUCKY	2005-SC-000474-D	GRAYSON
BILL JOE HARKRADER V. FARRAR OIL COMPANY, ET AL	2005-SC-000498-D	DAVIESS

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW**  
**ENTERED OCTOBER 12, 2005**

ELSIE SPEED V. WALTER SPEED, JR.	2005-SC-000508-D	FAYETTE
PATRICIA TURNER, ETC. V. APPALACHIAN REGIONAL HEALTHCARE, INC., D/B/A APPALACHIAN REGIONAL HOSPITAL, ET AL <b>COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.</b>	2005-SC-000514-D	PERRY
GREGORY HENDERSON V. COMMONWEALTH OF KENTUCKY	2005-SC-000525-D	JEFFERSON
MICHAEL HEIT, M.D., ET AL V. SANDRA E. ZOLKIEWICZ, ET AL	2005-SC-000554-D	JEFFERSON
TERESA ELLEN DENTON V. WILLIAM BRIAN DENTON	2005-SC-000568-D	HENDERSON
RITCHIE BRACK V. NELDA BRACK	2005-SC-000582-D	BALLARD
WILLIAM DALE DUNCAN V. COMMONWEALTH OF KENTUCKY	2005-SC-000622-D	MUHLENBERG
LOGAN CALVIN BYRD V. COMMONWEALTH OF KENTUCKY	2005-SC-000665-D	BOYLE
ALLAN D. GRUNDY V. COMMONWEALTH OF KENTUCKY	2005-SC-000678-D	JEFFERSON
BRYAN STACY FOSTER V. COMMONWEALTH OF KENTUCKY	2005-SC-000721-D	PULASKI

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF  
TIME TO FILE A MOTION FOR DISCRETIONARY REVIEW**

JOHN BRENTON PRESTON V. JOHN COY, ETC. <b>ENTERED: OCTOBER 13, 2005</b>	2005-SC-000545-D	FRANKLIN
WILLIAM A. SEARCY V. WILLIAM A. SEABOLD, WARDEN, ET AL <b>ENTERED: OCTOBER 12, 2005</b>	2005-SC-000638-D	OLDHAM

**COURT ORDERS GRANTING MOTION TO TANSFER**

VICKI MONROE V. COMMONWEALTH OF KENTUCKY <b>ORDER GRANTING TRANSFER AND CONSOLIDATING.</b> ENTERED: SEPTEMBER 22, 2005	2005-SC-000312-MR 2005-SC-000745-TG	JEFFERSON
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**COURT ORDERS DENYING PETITION FOR REHEARING**

STEVIE LYN ENGLAND V. COMMONWEALTH OF KENTUCKY	2003-SC-000328-MR 2004-SC-000506-TG	GRAVES
COMMONWEALTH OF KENTUCKY V. JOSIAH DANIEL GORDIN	2003-SC-000517-MR	JESSAMINE
THOMAS C. BOWLING V. LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT, ET AL	2004-SC-000907-MR	FAYETTE

SUPREME COURT OF KENTUCKY

MINUTES

OCTOBER 20, 2005

RELEASED: 10:00 A.M.

**COURT ORDERS**

ANDREW STEPHENSON HORNE V.  
PRECISION CARS OF LEXINGTON, INC.  
**COURT ORDER MODIFYING OPINION  
RENDERED AUGUST 25, 2005 BY THE  
SUBSTITUTION OF PAGES 1 AND 8  
TO CORRECT WORD FORMS.**  
ENTERED: SEPTEMBER 22, 2005

[2002-SC-000104-DG](#)

FAYETTE

NICOLA (BROWN) GRAY V.  
TRIMMASTER, ET AL  
**COURT ORDER CORRECTING  
OPINION RENDERED SEPTEMBER  
22, 2005 BY THE SUBSTITUTION OF  
PAGE 11 TO CORRECT  
TYPOGRAPHICAL ERROR.**  
ENTERED: SEPTEMBER 27, 2005

[2004-SC-001027-WC](#)

FROM COURT  
OF APPEALS

SOMERSET BOARD OF EDUCATION V.  
ALICE PERKINS, ET AL  
**COURT ORDER DISMISSING APPEAL.**  
ENTERED: OCTOBER 13, 2005

2005-SC-000430-WC

FROM COURT  
OF APPEALS

KENTUCKY BAR ASSOCIATION V.  
SANDRA CAMILLE BROOKS  
**COURT ORDER GRANTING MOTION  
TO DESIGNATE OPINION AND ORDER  
ENTERED AUGUST 25, 2005 AS TO BE  
PUBLISHED.**  
ENTERED: OCTOBER 13, 2005

[2005-SC-000542-KB](#)

IN SUPREME  
COURT

BECKY ELLINGSWORTH V.  
UNIVERSITY OF KENTUCKY OFFICE  
OF STUDENT AFFAIRS, ET AL  
**ORDER DENYING MOTION FOR  
INTERLOCUTORY RELIEF.**  
ENTERED: OCTOBER 20, 2005

2005-SC-000662-I

FAYETTE

**SUPREME COURT OF KENTUCKY**

**MINUTES**

**OCTOBER 20, 2005**

**RELEASED: 10:00 A.M.**

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF THE  
KENTUCKY BAR ASSOCIATION ENTERED SEPTEMBER 21, 2005.**

ELEANOR RUTH ROBINS V. KENTUCKY BAR ASSOCIATION	2005-SC-000731-KB	IN SUPREME COURT
DAWN ROSS KATZ V. KENTUCKY BAR ASSOCIATION	2005-SC-000732-KB	IN SUPREME COURT
ANDREW M. WINKLER V. KENTUCKY BAR ASSOCIATION	2005-SC-000733-KB	IN SUPREME COURT
KENNETH JAMES ELING V. KENTUCKY BAR ASSOCIATION	2005-SC-000737-KB	IN SUPREME COURT
JOANNE ENID BREGMAN V. KENTUCKY BAR ASSOCIATION	2005-SC-000738-KB	IN SUPREME COURT
ERIC SCOTT SAFFORD V. KENTUCKY BAR ASSOCIATION	2005-SC-000739-KB	IN SUPREME COURT
LEE ELLIS ROSENFELD V. KENTUCKY BAR ASSOCIATION	2005-SC-000740-KB	IN SUPREME COURT
MICHAEL GERARD YOUNG V. KENTUCKY BAR ASSOCIATION	2005-SC-000741-KB	IN SUPREME COURT
EVAN SCOTT REYNOLDS V. KENTUCKY BAR ASSOCIATION	2005-SC-000742-KB	IN SUPREME COURT
MARY ELIZABETH BROWN V. KENTUCKY BAR ASSOCIATION	2005-SC-000743-KB	IN SUPREME COURT
JOHN DOUGLAS NUNN V. KENTUCKY BAR ASSOCIATION <b>ENTERED: SEPTEMBER 22, 2005</b>	2005-SC-000746-KB	IN SUPREME COURT
ELIZABETH ROBERTSON MURRAY V. KENTUCKY BAR ASSOCIATION <b>ENTERED: SEPTEMBER 22, 2005</b>	2005-SC-000747-KB	IN SUPREME COURT